

**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

August 3, 2015

Scott S. Harris

Clerk of the Court
(202) 479-3011

Clerk
United States Court of Appeals
for the Sixth Circuit
540 Potter Stewart U.S. Courthouse
100 East Fifth Street
Cincinnati, Ohio 45202

FILED
Aug 04, 2015
DEBORAH S. HUNT, Clerk

**Re: Arthur Charles Smith
v. United States
No. 14-7587 (Your docket No. 13-6322)**

Dear Clerk:

Attached please find a certified copy of the judgment of this Court in the above-entitled case. You may obtain a copy of the opinion cited in the judgment by visiting our website @www.supremecourt.gov.

Sincerely,

SCOTT S. HARRIS, Clerk

By 

Elizabeth Brown
Judgments/Mandates Clerk

Enc.

cc: Bradley L. Henry, Esq.
Solicitor General

Supreme Court of the United States

No. 14-7587

ARTHUR CHARLES SMITH,

Petitioner

v.

UNITED STATES

ON PETITION FOR WRIT OF CERTIORARI to the United States Court of Appeals for the Sixth Circuit.

THIS CAUSE having been submitted on the petition for writ of certiorari and the response thereto.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that the motion of petitioner for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment of the above court is vacated, and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Johnson v. United States*, 576 U. S. ____ (2015).

Justice Alito concurring in the decision to grant, vacate, and remand in this case:

Following the recommendation of the Solicitor General, the Court has held the petition in this and many other cases pending the decision in *Johnson v. United States*, 576 U. S. ____ (2015). In holding this petition and now in vacating and remanding the decision below in this case, the Court has not differentiated between cases in which the petitioner would be entitled to relief if the Court held (as it now has) that the residual clause of the Armed

Career Criminal Act of 1984, 18 U. S. C. Sec. 924(e)(2)(B)(ii), is void for vagueness and cases in which relief would not be warranted for a procedural reason. On remand, the Court of Appeals should understand that the Court's disposition of this petition does not reflect any view regarding petitioner's entitlement to relief.

June 30, 2015

14-7587

Arthur Charles Smith

v.

United States

